

tees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions hereof, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

TWENTY-EIGHTH DAY.

(Tuesday, February 17, 1925.)

The House met at 4:56 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Dunn of Hopkins.
Albritton.	Durham.
Alexander	Enderby.
of Bastrop.	Farrar.
Amsler.	Faulk.
Atkinson.	Fields.
Avis.	Finlay.
Baker of Orange.	Florence.
Baker of Panola.	Foster.
Barker.	Frnka.
Barron.	Graves.
Bartlett.	Gray.
Bateman.	Hagaman.
Bean.	Hall.
Bedford.	Harman.
Bird.	Harper.
Blount.	High.
Bobbitt.	Hollowell.
Boggs.	Hoskins.
Bonham.	Hull.
Brown.	Irwin.
Bryant.	Jacks.
Cade.	Jasper.
Carter.	Johnson.
Chitwood.	Jordan.
Coffey.	Justice.
Conway.	Kayton.
Coody.	Kenyon.
Covey.	King.
Cox of Lamar.	Kinnear.
Cox of Navarro.	Kittrell.
Cummings.	Laird.
Dale.	Lane of Hamilton.
Daniels.	Lane of Harrison.
Davis of Dallas.	Lipscomb.
Davis of Wood.	Loftin.
DeBerry.	Low.
Dielmann.	Mankin.
Dinkle.	Masterson.
Donnell.	Maxwell.
Downs.	McBride.
Dunn of Falls.	McDonald.

McDougald.	Sheats.
McFarlane.	Simmons.
McGill.	Simpson.
McKean.	Sinks.
McNatt.	Smith of Travis.
Merritt.	Smyth.
Montgomery.	Sparks.
Moore.	Stautzenberger.
Nicholson.	Stell.
Parish.	Stevens.
Pavlica.	Stevenson.
Pearce.	Storey.
Perdue.	Stout.
Poage.	Taylor.
Pool.	Thompson.
Pope.	Tomme.
Purl.	Veatch.
Rawlins.	Wade.
Raymer.	Walker.
Renfro.	Wallace.
Rice.	Webb.
Rogers.	Wells.
Rowell.	Westbrook.
Rowland.	Wester.
Runge.	Williamson.
Sanford.	Woodruff.
Shearer.	Young.

Absent.

Alexander	Powell.
of Limestone.	Robinson.
Dunlap.	Smith of Nueces.
Houston.	Strong.
Jones.	Teer.
Kemble.	Wilson.
Petsch.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Farrar, Mr. Kittrell and Mr. Irwin:

H. B. No. 479, A bill to be entitled "An Act to dispense with the reading to the jury of all pleadings of all parties to a civil suit, and providing that the parties or their attorneys may orally and concisely state the facts and issues embraced in such pleadings to the jury under the direction and control of the court, and further providing that the office and purpose of such pleadings shall in no manner be imparted in any other respect, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Rowland:

H. B. No. 480, A bill to be entitled

"An Act to amend Revised Statutes of 1920, Title 126, Chapter 1, Article 7355, Section 36, providing an occupation tax on moving picture shows."

Referred to Committee on Revenue and Taxation.

By Mr. Robinson and Mr. Harper:

H. B. No. 481, A bill to be entitled "An Act prohibiting any person teaching or performing his duties as teacher, instructor, professor, officer, president or superintendent in any public school in this State who is an atheist or who disbelieves in a Supreme Being, requiring an oath to accomplish such end, and declaring an emergency."

Referred to Committee on Education.

By Mr. Kittrell:

H. B. No. 482, A bill to be entitled "An Act making it unlawful for any person to either directly or indirectly purchase any spirituous, vinous, or malt liquors or medicated bitters capable of producing intoxication or any other kind of intoxicating beverage; providing a penalty therefor."

Referred to Committee on Criminal Jurisprudence.

By Mr. Kittrell:

H. B. No. 483, A bill to be entitled "An Act making it unlawful for any person to give or deliver or cause to be given or delivered, or be in any way concerned in the gift or delivery of any spirituous, vinous, or malt liquors, or medicated bitters capable of producing intoxication, or any other intoxicating beverage to any male person under the age of twenty-one years, or to any female person under the age of twenty-five years; providing a penalty therefor."

Referred to Committee on Criminal Jurisprudence.

By Mr. Wester:

H. B. No. 484, A bill to be entitled "An Act changing the boundaries of Caldwell Common School District No. 6 in Lubbock county, Texas, and Abernathy Independent School District in Lubbock and Hale counties, Texas, and transferring a portion of the territory now embraced in Abernathy Independent School District to Caldwell Common School District No. 6, and providing that Caldwell Common School District No. 6 shall assume and pay the portion of the bonded indebtedness of Abernathy Independent School District which it is obligated to assume in taking over the additional lands, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Wester:

H. B. No. 485, A bill to be entitled "An Act creating the Bledsoe Independent School District in Lubbock county, Texas, out of territory now comprising Bledsoe Common School District No. 5 in Lubbock county, Texas, as said common school district was created and established by act of the Thirty-fifth Legislature of the State of Texas, Fourth Called Session, Local and Special Laws, House bill No. 175, Chapter 27, Section 5; defining its boundaries; providing for a board of trustees and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes thereof; providing that said board of trustees shall exercise the power and authority of the board of equalization for said district; providing that all outstanding bonds, obligations and indebtedness of said Bledsoe Common School District No. 5 shall be assumed by and shall become binding obligations upon Bledsoe Independent School District; providing for the validation of all such bonds, obligations and indebtedness; continuing in force all taxes heretofore voted and now in force in said Bledsoe Common School District No. 5; providing that title to all public free school property within said territory be divested out of Bledsoe Common School District No. 5 and vested in Bledsoe Independent School District as hereby created; providing for the election and term of office of trustees of said Bledsoe Independent School District; providing for the filling of vacancies on said board of trustees; providing for seal for said district; providing that said board of trustees shall be governed by the general laws in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision or section herein shall not invalidate the remaining sections and provisions, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Wester:

H. B. No. 486, A bill to be entitled "An Act creating and incorporating the Willow Wells Independent School District in Terry county out of territory now composing Willow Wells Common School District No. 14 in said county as

heretofore created; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes thereof; providing for a board of equalization for said district; providing that all outstanding obligations and indebtedness of said Common School District No. 14 in Terry county shall be assumed by and become binding obligations of said Willow Wells Independent School District; providing for the validation of all such obligations and indebtedness; continuing in force the certain maintenance tax heretofore voted in said Common School District No. 14; providing that title to all public free school property within said territory shall vest in said Willow Wells Independent School District; providing for the election and terms of office of trustees of said Willow Wells Independent School District, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Wilson:

H. B. No. 487, A bill to be entitled "An Act to amend Section 1, Chapter 56, of the Acts of 1915, Acts of the Thirty-fourth Legislature, exempting heads of departments and executives from the operation of Chapter 56 of the Thirty-fourth Legislature, and defining 'heads of departments' and 'executives' as used in said act, and declaring an emergency."

Referred to Committee on Labor.

By Mr. Perdue:

H. B. No. 488, A bill to be entitled "An Act making a special road law for Upshur county; defining powers and duties of county commissioners, and conferring upon them such authority as may be necessary to enable them to establish and maintain a system of county public roads that will meet the requirements of all the people for convenient inter-communication and for reaching their local market centers, and providing for extra compensation for extra services of commissioners, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Powell, Mr. McDougald and Mr. Shearer:

H. B. No. 489, A bill to be entitled "An Act to amend Chapter 155 of the Acts of the Thirty-fourth Legislature, as amended by Chapter 23 of the Acts

of the Thirty-fifth Legislature, and to amend subdivisions 9, 75 and 80 of Article 30, Title 5 of the Revised Civil Statutes of the State of Texas, and to amend Chapter 104 of the laws passed by the Thirty-eighth Legislature, approved March 21, 1923, and to reorganize the Seventy-fifth Judicial District of Texas, and remove therefrom the county of Montgomery, and to reorganize the Ninth Judicial District of Texas and remove therefrom the counties of Hardin and Liberty, and to add thereto the county of Waller, and to remove said county of Waller from the Eighteenth Judicial District of the State of Texas, and fixing the time of holding the court in said Seventy-fifth and Ninth Judicial Districts, and providing for the continuance in office of the present district judges and district attorneys within certain limits, and validating process, bonds, recognizances and decrees issued and rendered under existing arrangements; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Amsler:

H. B. No. 490, A bill to be entitled "An Act to create and establish the Richmond Independent School District in Fort Bend county, Texas, including therein the territory of the present Richmond Independent District as incorporated under the general law; providing a board of trustees for the said district and conferring upon the board of trustees the rights, powers and duties prescribed by general law for independent school district trustees; validating current contracts of indebtedness and tax levies of the present Richmond Independent District as the valid and subsisting contracts, indebtedness and taxes of the district as hereby created, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Rowland:

H. B. No. 491, A bill to be entitled "An Act levying an occupation tax upon each individual, company, corporation, or association, doing the business of a dramatic stock company, whether as a road show or doing business in theaters in the State of Texas; providing for the filing of reports with the Comptroller, under oath of the individual or the president, treasurer, or superintendent of such company, corporation or association, showing the amount of gross receipts of admission charges collected

within this State during the preceding quarter, and providing for the payment of such tax and fixing the penalty for the failure to pay same, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. High:

H. B. No. 492, A bill to be entitled "An Act to amend Article 1160 of the Code of Criminal Procedure of the 1911 Revised Statutes of the State of Texas, as enacted by the Thirty-second Legislature of the State of Texas, Acts 1911, page 110, Section 1, so as to pay the grand jurors three (\$3.00) dollars per day for each day or fraction thereof that he may serve."

Referred to Judiciary Committee.

By Mr. Bryant:

H. B. No. 493, A bill to be entitled "An Act to create the Tell Independent School District in Childress, Hall and Cottle counties, Texas, including therein the present Common County Line School District No. 9 of Hall, Childress and Cottle counties and the Tell Independent District of Hall and Childress counties; providing a board of trustees therefor, vesting said Tell Independent School District board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing for the validation of all current contracts of the said Common County Line School District No. 9, and the present Tell Independent District, as the subsisting obligations and acts of the Tell Independent School District as created by this act; providing for an election to determine as to the assumption of outstanding bonded indebtedness of territory hereby incorporated, as herein set out, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Bird and others:

H. B. No. 494, A bill to be entitled "An Act making an appropriation for improving, repairing, cleaning and renovating the State Confederate Home located in the city of Austin, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Rawlins, Mr. Kittrell and others:

H. B. No. 495, A bill to be entitled

"An Act to amend Chapter 135 of the Acts of the Regular Session of the Thirty-seventh Legislature of the State of Texas, approved March 31, 1921."

Referred to Committee on Appropriations.

By Mr. Smith of Travis:

H. B. No. 496, A bill to be entitled "An Act to provide for the heating of the old Land Office Building, located in the southeast corner of the Capitol grounds, which building is now used as a museum and under the management of the Daughters of the Republic and the Daughters of the Confederacy; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Smith of Travis:

H. B. No. 497, A bill to be entitled "An Act to require school districts, road districts and all other taxing districts of a county to file their tax rolls with the State and county tax collector, where the taxes do not appear on the State and county tax rolls; repealing all laws and parts of laws in conflict with this act."

Referred to Committee on Education.

By Mr. Bonham:

H. B. No. 498, A bill to be entitled "An Act repealing Chapter 17, Local and Special Laws, enacted by the First Called Session of the Thirty-third Legislature, and amended by the Regular Session of the Thirty-sixth Legislature, entitled 'San Patricio County Road System'; creating and providing that the general laws of the State of Texas relating to working public roads, appointing overseers, the issuance of bonds for the construction of public roads, shall be applicable to San Patricio county; validating all defined road districts defined, created and established under and by virtue of said San Patricio county special road law, as well as the road bonds issued thereunder, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Parish:

H. B. No. 499, A bill to be entitled "An Act to amend Chapter 90, page 185 of the General Laws of the State of Texas, passed by the Thirty-eighth Legislature at its Regular Session in 1923, the same being an act to reorganize the Thirty-fifth Judicial District of Texas, to name

the counties composing such Thirty-fifth Judicial District of Texas, and to fix the time of holding court in the counties composing said district; to provide for the execution and return of process issued out of said court; fixing the time when this act becomes effective, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 196, to the Committee on Common Carriers.

Senate bill No. 233, to the Committee on Insurance.

BILLS ORDERED NOT PRINTED.

On motion of Mr. DeBerry, House bills Nos. 450, 445, 449, 399, 403, 74, 404, 86, 417 were ordered not printed.

On motion of Mr. Williamson, Senate bill No. 74 was ordered not printed.

BILL ORDERED PRINTED.

On motion of Mr. Bobbitt, Senate bill No. 252 was ordered printed.

REPORT OF JUDICIARY COMMITTEE.

The Speaker laid before the House and had read the following committee report:

To the Honorable Lee Satterwhite, Speaker:

We, your Judiciary Committee, to whom was referred Senate bill No. 252, report that we have had the same under consideration and I am instructed to return the same to the House without recommendations as to whether the same do or do not pass, for the reason that the members of the committee were equally divided, nine members voting for a favorable report, and nine voting for an unfavorable report, one pair and one present and not voting.

The committee unanimously voted to return the bill to the House with recommendation that it be printed, that the House itself might finally act upon it.

BOBBITT, Chairman.

RELATING TO STATE CONFEDERATE HOME.

Mr. Boggs offered the following resolution:

Whereas, There are 368 inmates of the State Confederate Home, most of them past 80 years of age and some of them past 90; and

Whereas, There are about 100 veterans now in the hospital at the Home and others are going to the hospital every day, and it will be only a few months or a few more years before the Confederate Home will, in reality, be a Confederate hospital; and

Whereas, There are 60 to 75 on the waiting list to enter the hospital at this time, but cannot be accommodated on account of lack of housing facilities; and

Whereas, Many of the rooms and houses occupied by the veterans are badly in need of ventilation, painting, papering and remodeling and also the Home is badly in need of a convalescent hospital; and

Whereas, There are many other improvements that are really necessary to make it a real home for our Confederate veterans; therefore, be it

Resolved, That the Thirty-ninth Legislature recommend an emergency appropriation of \$50,000 to be used for the improvement and enlarging of the State Confederate Home; and be it further

Resolved, That the Appropriation Committee be urged to grant this emergency appropriation and that our Governor be requested to approve said appropriation.

Signed—Cox of Lamar, Dunn of Hopkins, Brown, Boggs, Covey, Daniels, Sheats.

The resolution was read second time and was adopted.

RELATING TO HOUSE BILL NO. 218.

Mr. Lane of Harrison offered the following resolution:

H. C. R. No. 15, Relating to House bill No. 218.

Resolved by the House of Representatives of the Thirty-ninth Legislature, the Senate concurring, That the Enrolling Clerk of each house is instructed to amend House bill No. 218 by striking out the following language in Section 3, page 2, line 21, "to the northwest corner of said Harrison county, thence in an easterly direction following the north line of Harrison county and the

south line of Marion county," and inserting in lieu thereof the following: "thence south to the southwest corner of said Harrison county, thence in an easterly direction following the south line of Harrison county."

The resolution was read second time and was adopted.

COMMENDING HON. A. CARRANO.

Mr. Smith of Travis offered the following resolution:

Whereas, A. Carrano, author of the ode, "The Valorous Heroes of Texas—The Land of My Pride—Texas History in Song," and his great number of singers and musicians; and

Whereas, The ode is very expressive and typical of the illustrious history of Texas and suitable for large and patriotic celebrations; therefore, be it

Resolved by the House of the Thirtieth Legislature, That we commend A. Carrano, the author, for the production of this ode, or anthem, and the pleasing rendition of same before the members of this House.

The resolution was read second time and was adopted.

RELATING TO RAILROADS.

Mr. Kittrell offered the following resolution:

H. C. R. No. 14, Relating to railroads.

Whereas, There is now pending before the Interstate Commerce Commission at Washington, D. C., an application on behalf of the Travelers' Protective Association of America, supported by 10,000 traveling men of Texas, who belong to the Texas division of said association, demanding a change in the ruling heretofore made, whereby railroad passenger fares in Texas have been increased 60 per cent, and putting an additional charge of 50 per cent for riding in Pullman cars; and

Whereas, Such ruling on the part of the Interstate Commerce Commission contravenes the laws of the State of Texas, to wit: Article 6618 of the Revised Statutes of 1911, in which the passenger fare rate in Texas is fixed at three cents per mile, and this legislative enactment has been completely nullified and has become nugatory by the rules and regulations of the Interstate Commerce Commission, and the right and power of the State of Texas, to govern its own affairs within its own borders has been set aside and trampled upon by the new centralized system in Washington; and

Whereas, It is a cardinal principle of

our form of government that the rights of the States be maintained at all times, in order to assure the life of this Republic, and by taking away the authority of the State of Texas to supervise and control the railways in Texas, it is a decided step toward national decay; and

Whereas, The Congress of the United States, by a simple act, can restore to the States, the rights they should have, and which they formerly had up to a few years ago, to control the transportation lines of railway within the borders of the several States; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we respectfully demand of our two Senators and the Representatives in Congress, that they vote for and support the bill now pending in Congress to repeal that provision of the Esch-Cummings Act that vests the Interstate Commerce Commission with the power to control railroad transportation and charges in the State of Texas. And in addition thereto we demand of our Representatives in Congress, that they do all within their power to restore to the Railroad Commission of Texas its powers and duties as defined in the Constitution of the State of Texas, having been placed there by a vote of the people.

That a copy of this resolution be forwarded at once by the Chief Clerk of the House, to the two Texas Senators, and to each of the Texas Congressmen.

The resolution was read second time and was adopted.

HOUSE BILL NO. 295 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 295, A bill to be entitled "An Act to amend Sections 5, 11 and 13, of Chapter 51, Acts of the Thirtieth Legislature, First Called Session, and adding thereto new Sections 13a, 13b, 13c, 13d, 13e, 13f, 13g, 13h, 13i, 13j, 13k, 13l, 13m and 13n, as follows: by amending Section 5, prescribing the qualifications, powers and duties of the Texas State Board of Examiners in Optometry; by amending Section 11, to provide for applications for licenses, prescribing qualifications of applicants for licenses, registration and examination of applicants, issuance, recording and registration of licenses and certificates and fees therefor, providing minimum and maximum standard of education for applicants, and empowering board to regulate this standard,

providing for the issuance of licenses by reciprocity with others States and fees therefor; by amending Section 13, providing for the revocation of licenses for cause, and the manner in which said licenses may be revoked by the board, giving right of appeal from decision of board to the district court of Travis county, providing that district and county attorneys, or Attorney General of the State in all court actions when authorized by the board shall act," etc.

The bill was read third time and was passed.

HOUSE BILL NO. 87 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 87, A bill to be entitled "An Act regulating and providing for a better election and primary election system in this State; providing for a preferential or first and second choice ballot in primaries; making provision for necessary details of poll tax payments, voting and requirements incidental to suffrage and elections, and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following (committee) amendment to the bill:

Amend H. B. No. 87 by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. In addition to the information now required to be furnished in

procuring a poll tax receipt, the applicant shall state his party affiliation, and, if foreign born, shall state whether or not he is naturalized, which facts shall be shown on the poll tax receipt; provided that no citizen shall be required or compelled to state his party affiliation and may refuse to do so, but in such event the tax collector shall write the word "Independent" on the poll tax receipt which shall disqualify every such voter from voting in any party primary, but he may vote in any and all other elections, if otherwise qualified. Provided that any voter may change his party affiliation not less than thirty days before any primary election by going before the tax collector of his county and having the change noted on his poll tax receipt and the tax collector shall note the change on the poll list.

Sec. 2. In general elections only the names of party nominees shall appear in the column under party name for such party, and just under the name shall be a square space and the voter who wishes to vote his party ticket straight shall make a crossmark (X) in such space. To the right of each name on each party ticket there shall be a small square space, and if the voter wishes to vote a mixed or split ticket, he shall not place the crossmark (X) in the space at the head of the ticket, but shall make his crossmark (X) in the square opposite the name of each candidate for whom he wishes to vote, but in no instance shall a name be written on any party ticket, but shall be written in the corresponding space for such office in the blank column, and nowhere else. The form of such general election ballots shall be as follows:

Official Ballot

Democrat.		Rep.		Prog.		
For Gov.		For Gov.		For Gov.		For Gov.
Name		Name		Name		
For Lt. Gov.		For Lt. Gov.		For Lt. Gov.		
Name		Name		Name		
For CongressDis't		For CongressDis't		For CongressDis't		For CongressDis't
Name		Name		Name		
For Sheriff		For Sheriff		For Sheriff		For Sheriff
Name		Name		Name		

Sec. 3. No name shall be scratched off of any ticket and no name that is from one party ticket and written in printed on any ticket shall be scratched upon another party ticket.

The election judge in calling any ticket that has been voted straight should call "Democratic straight," "Republican straight," etc., and upon the tally sheet in horizontal column there shall be arranged as many spaces as there are different party nominees to be voted for in such election.

Sec. 4. When a constitutional amendment is to be voted on or any other question or proposition by the people of the State, district, county, precinct, or subdivision thereof, a square space shall be provided opposite the words "for the amendment" and "against the amendment" question or proposition wherein the voter shall make his cross-mark (X) in voting thereon as for or against the proposed question.

Sec. 5. A voter who moves to another precinct in the same county shall, five days prior to election day, in order to vote in the precinct of his new residence in a primary or general election, make application to the county collector under oath that his intentions are bona fide to make that precinct his permanent home, and the collector shall make the proper transfer of his name to the list of qualified voters of his new residence and he shall be entitled to vote in such precinct. The collector shall issue a receipt

to the voter showing the transfer and date thereof.

Sec. 6. Where a voter moves from one county to another county in the State, he should pay his poll tax in the county where due and then qualify himself as a voter in the county of his new residence, and have his name registered on the list of qualified voters of that county. He should present his poll tax receipt to the tax collector of the county where he paid it and the tax collector being advised of the intentions of the voter to move into another county, should indorse on the back of the poll tax receipt substantially these words: "the voter is moving to _____ county" and sign his name, dating it "_____ day of _____ 19—." The holder of the poll tax receipt may then present the same to the tax collector of the county of his new residence to which he has moved, and the tax collector of the county shall write on the back of the poll tax receipt the date and precinct in which the holder is then living and place his name on the poll list for his precinct, and, after he shall have been there as much as six months at the time of any election, he shall be entitled to vote.

Sec. 7. The official ballot of all primary elections shall be prepared in the following manner: The ballots shall contain the name of all candidates for all offices under the name of the office or place for which candidates are offering in the following form:

OFFICIAL BALLOT

..... Primary

For Governor—	1st Choice Vote for One	2nd Choice Vote for One
A. B..... County		
C. D..... County		
E. F..... County		
G. H..... County		
For Sheriff Jones, Tom		
Smith, Bill		
For County Judge— Black, Jim		
White, Ed		
Green, Will		

In case there are only two candidates for any office to be voted for at any such primary election, there shall be one square place to the right of each name and the candidate receiving the highest vote shall be the nominee of such primary and such office, and in case there are more than two candidates

for the same office, there shall be provided on the ballot two squares, the name of each candidate shall be designated as "First choice" and "Second choice," so that each voter shall indicate his first and second choice or preference by placing a cross-mark (X) in the appropriate squares.

Sec. 8. In all cases where there are more than two candidates for any office, the voter shall record, in the manner above provided, his first and second choice, and in the event only one choice should be exercised by the voter, the ballot as to that particular candidate will not be counted for any person.

Tally sheets for such candidates for all State officials shall be so arranged as to show plainly and distinctly how the individual voters voting for any certain candidate indicated their choice or preference from among the candidates.

The returns made by the judges of election shall set forth on blank forms to be furnished by the proper officials, the number of first choice votes cast for each candidate, following horizontally by a statement of the number of second choice votes cast for each candidate.

For the convenience of the officials in printing their election supplies for the use of the managers of the election, the following is set forth as approved form for blanks on which the election returns may be made:

Returns Precinct.....
.....County

FOR GOVERNOR

Name	Total First	Total Second	Grand Total
Candidates			
A. B.			
C. D.			
E. F.			
G. G.			
Total			

FOR SHERIFF

Smith, J. T.			
White, R. E.			
Brown, Tom	Brown, Tom	Ross, F. R.	York, W. B.
Ross, F. R.			
York, W. B.			
Total			

Sec. 9. If any candidate shall receive a majority of all the first choice votes cast and counted for his office in the State, precinct, or district, he shall be certified as the nominee of such party. In the event no candidate shall receive a majority of first choice votes each candidate's first and second choice votes shall be added together and the candidate receiving the highest number of first and second choice votes added together shall be the nominee.

Sec. 10. No ballot shall be thrown out or election held invalid where there has been a substantial compliance with the provisions of this act, unless there be shown want of fairness and the presence of fraud that has probably affected the result of said election.

This act is cumulative of laws in force on the subject matter of this act, and shall not repeal any law except where in conflict herewith.

Sec. 11. The importance of this act and the fact that it provides for an improvement in our election system, creates an emergency and an imperative public necessity, demanding the suspension of the constitutional rule requiring bills to be read on three several days in each house, and said rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

ADJOURNMENT.

Mr. Purl moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Sparks moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Sparks prevailed, and the House, accordingly, at 5:30 o'clock, adjourned until 10 o'clock a. m. tomorrow.

In Memory
of
Hon. W. E. Cureton

Mr. Bird offered the following resolution:

Whereas, Hon. W. E. Cureton of Bosque county, Texas, a member of the Twenty-fourth and Twenty-fifth Legislatures, departed this life on the eleventh day of February, 1925, at the home of his son, Hon. C. M. Cureton, at Austin, Texas; and

Whereas, As a public servant and a private citizen he rendered unto his State the services of an earnest, able and patriotic citizen; and in public and private life exemplified and displayed those traits of character that gave him a place among the chivalrous sons of the South, and won for him the love, esteem and respect of all those who knew him; therefore, be it

Resolved, That the members of this House extend to his bereaved relatives and friends their most heartfelt sympathy; and, be it further

Resolved, That a page of the Journal of the House be set apart and dedicated to his memory and that an enrolled copy of this resolution be sent to the family of the deceased.

BIRD,
WESTER,
SMYTH,
FIELDS.

The resolution was read second time and was adopted.